

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC**

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**COMMENTS OF THE
AIR TRANSPORT ASSOCIATION OF AMERICA, INC.
CONCERNING THE
LIGHTSQUARED TECHNICAL WORKING GROUP REPORT
IB DOCKET NO. 11-109**

Federal Communications Commission
Office of the Secretary

The Air Transport Association of America ("ATA") submits these comments in response to the June 30th final report of the technical working group that LightSquared and the United States Global Positioning System Industry Council co-chaired ("the Final Report"). The Federal Communications Commission invited the public to comment about the Final Report in its public notice dated June 30th, DA 11-1133.

ATA is the trade association representing the larger U.S. passenger and cargo airlines.¹ We are participating in this proceeding because GPS will be the mainstay of air navigation throughout the United States in the coming years. Any compromise of its availability or capabilities would be calamitous for U.S. civil aviation.

The working group was created because of a condition in FCC Order and Authorization, DA 11-133, which the Commission released on January 26th. That condition requires submission of a final report that describes the working group's analysis of the potential for overload interference that LightSquared's proposed terrestrial network of base stations may cause to GPS devices. It also requires identification of steps to avoid that interference and recommendations to mitigate potential interference to those devices.

We appreciate the opportunity to respond to the Final Report and the efforts of the working group. Our views about this matter are as follows:

- We do not oppose the expansion of wireless broadband services but any such expansion cannot be permitted to interfere with existing or anticipated civil aviation GPS spectrum use.
- LightSquared's application cannot be approved. The results of the working group's examination of the operational implications of the application, RTCA's related analysis and the Federal Aviation Administration's assessment each unequivocally demonstrates

¹ ATA airline members are: ABX Air, Inc.; AirTran Airways, Inc.; Alaska Airlines, Inc.; American Airlines, Inc.; ASTAR Air Cargo, Inc.; Atlas Air, Inc.; Continental Airlines, Inc.; Delta Air Lines, Inc.; Evergreen International Airlines, Inc.; Federal Express Corp.; Hawaiian Airlines, Inc.; JetBlue Airways Corp.; Southwest Airlines Co.; United Air Lines, Inc.; UPS Airlines; and US Airways, Inc. ATA associate members are Air Canada and Air Jamaica Ltd.

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Yet it is an overwhelming incursion into the GPS spectrum that the recently completed evaluations of LightSquared's application unmistakably describe. As the Aviation Sub-team concluded in the Final Report:

“[for] the originally defined LightSquared spectrum deployment scenarios, GPS-based operations are expected to be unavailable over entire regions of the country at any normal operational aircraft altitude.”¹⁰

The RTCA echoed that determination in its report, stating that

“[t]he impact of a LightSquared terrestrial base station upper channel spectrum deployment is expected to be complete loss of GPS receiver function. Because of the size of the single-city station deployment, GPS-based operations below about 2000 feet will be unavailable over a large radius from the metro deployment center (assuming no other metro deployments are nearby). Given the situation in the high altitude U.S. East Coast scenario, GPS-based operations will likely be unavailable over a whole region at any normal aircraft altitude.”¹¹

RTCA reached the inevitable conclusion: “From an aviation perspective, LightSquared's upper channel operation should not be allowed.”¹² We share that conclusion. Additionally, the FAA's July 12th PNT NCO response concluded that the “[u]se of the LightSquared upper channel is unacceptable at any power level...”¹³

Moreover, there is no basis for allowing the lower 10 MHz channel proposal to go forward. As the Final Report stated “[c]ompatibilty of aviation GPS operations with a single lower 10 MHz channel could not be determined definitively without additional study.”¹⁴ That forecloses regulatory approval.

Finally, the civil aviation community has not created the encroachment issues identified in the Final Report, the RTCA report and the FAA's July 12th PNT NCO response. Our current and future dependence on GPS has been well-known for years. We should not be expected to solve the issues that entangle LightSquared's proposal. In particular, we should not be expected to retrofit GPS receivers or take other operational measures to remedy a situation for which we are not responsible.

Whatever merits the LightSquared proposal has as a commercial communications venture, it cannot be allowed to proceed because of the irremediable harm it will cause to the civil aviation community.

¹⁰ Final Report at page 15.

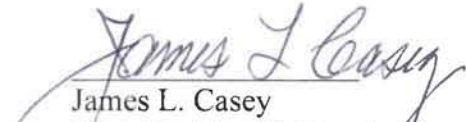
¹¹ RTCA report at page 51.

¹² Id. at 2

¹³ The FAA's July 12th PNT NCO response at 6.

¹⁴ Final Report at page 15.

Respectfully submitted,

A handwritten signature in cursive script, reading "James L. Casey". The signature is written in dark ink and is positioned above the printed name and title.

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